



UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CRAIG ALLEN SHEETS,
Plaintiff,

vs.

DRUG ENFORCEMENT AGENCY,
Defendant.

3:07-CV-0512-BES (VPC)

**REPORT AND RECOMMENDATION
OF U.S. MAGISTRATE JUDGE**

This report and recommendation is made to the Honorable Brian E. Sandoval, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR IB 1-4.

On October 25, 2007, Craig Allen Sheets delivered an envelope to the Clerk of the Court which contained several pages of typed statements together with a copy of a dictionary page containing the definition of the word "vulcanization" and a copy of the business card of the Coroner of Laramie County, Wyoming (#1). The document is apparently purported to be a civil rights complaint pursuant to 42 U.S.C. § 1983.

Plaintiff did not file an application to proceed *in forma pauperis* stating he is without sufficient funds to pay the filing fee, nor did he pay the \$350.00 filing fee in this case. The court ordered plaintiff to either pay the filing fee or submit a properly completed application to proceed *in forma pauperis* by February 29, 2008 (#2). Plaintiff was cautioned that failure to comply with the court's order would result in a report and recommendation to the District Court to dismiss this action. *Id.* Plaintiff failed to respond to this court's order.

1 Based upon the foregoing, the undersigned magistrate judge recommends that this action be
2 dismissed without prejudice.

3 The parties should be aware of the following:

4 1. They may file, pursuant to 28 U.S.C. § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules
5 of Practice, specific written objections to this Report and Recommendation within ten (10) days of
6 receipt. These objections should be titled "Objections to Magistrate Judge's Report and
7 Recommendation" and should be accompanied by points and authorities for consideration by the
8 District Court.

9 2. This Report and Recommendation is not an appealable order, and any notice of appeal
10 pursuant to Rule 4(a)(1), Fed. R. App. P., should not be filed until entry of the District Court's
11 judgment.

12 **RECOMMENDATION**

13 For the reasons stated above, the undersigned Magistrate Judge recommends that the District
14 Judge enter an order **DISMISSING** this action without prejudice.

15 DATED: May 28, 2008.

16
17 
18 UNITED STATES MAGISTRATE JUDGE
19
20
21
22
23
24
25
26
27
28